C. Remarks

Independent claim 8 is the sole claim pending in the subject application. Claim 8 has been amended to clarify the location of the detector switch. Support for the amendment may be found, *inter alia*, in Fig. 2. No new matter has been added. Reconsideration of claim 8 is respectfully requested.

Claim 8 stands rejected under 35 U.S.C. §103(a) as allegedly being obvious from U.S. Patent No. 6,713,201 B2 (Bullock) in view of U.S. Patent Application Publication No. 2003/0096144 A1 (Dunstan). This rejection is respectfully traversed.

Prior to addressing the merits of the rejection, Applicants would like to briefly discuss some of the features of the present invention. That invention, in pertinent part, relates to a fuel supply system for fuel cells, which comprises a fuel cell that generates power using fuel and oxygen and discharges water produced as a result of power generation, and a fuel supply apparatus for supplying fuel to the fuel cell. The fuel cell comprises a fuel cell supply unit into which fuel is supplied and a water discharging unit for discharging water, wherein access to the fuel supply unit and the water discharging unit is provided at the same face of the fuel cell. The fuel supply apparatus includes a mounting unit for mounting the fuel cell, a fuel supply unit for supplying fuel to the mounted fuel cell, and a water-suctioning unit for suctioning water produced inside the fuel cell. The fuel cell supply apparatus also includes a detecting switch for detecting the mounting of the fuel cell. This detecting switch is on the mounting unit of the fuel supply apparatus.

The Examiner alleged that claim 8 reads on the apparatus disclosed in Bullock, because the display and controller in Bullock can function as an electrical detector switch. While Applicants disagree with the Examiner's position, claim 8 has been amended to specify that the detector switch is on the mounting unit of the fuel supply apparatus. Neither the display nor the controller in Bullock is located on what can be considered a mounting unit of the fuel supply apparatus.

Dunstan does not cure the deficiencies of Bullock. The Examiner cited Dunstan for a teaching of an evaporator. However, even assumed, *arguendo*, that Dunstan contains the alleged teaching, neither Bullock nor Dunstan discloses or suggests a fuel cell supply apparatus comprising a detecting switch on the mounting unit of the fuel supply apparatus as recited in claim 8. Accordingly, it is respectfully submitted that Bullock, whether considered alone or in combination with Dunstan, fails to render the presently claimed invention unpatentable.

Claim 8 stands rejected under 35 U.S.C. §103(a) as allegedly being obvious from U.S. Patent Application Publication No. 2004/0131903 A1 (Shioya).

Applicants respectfully submit that Shioya is not prior art. Shioya is a publication of a U.S. national stage of International Application No. PCT/JP03/01929, which was filed February 21, 2003. The present application, however, claims priority from Japanese Application No. 2002-276683, which was filed September 24, 2002, i.e., before the effective filing date of Shioya. To perfect the priority claim in accordance with 37 C.F.R. § 1.55, Applicants are preparing a sworn translation of the priority document, which will be filed when it

is completed. Should the Examiner review the application before the translation is filed, the Examiner is requested to contact Applicants' undersigned attorney prior to issuing the next Office communication.

Wherefore, withdrawal of the outstanding rejections and passage of the subject application to issue are respectfully requested.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Jason M. Okun/
Jason M. Okun
Attorney for Applicants
Registration No.: 48,512

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

FCHS_WS 2400639v1